IN THE HIGH COURT OF JUDICATURE,

ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO : 26228 of 2003

Between:

Syed Ismail Jani, S/o Syed Hussaini, Non Technical work Inspector, Panchayat Raj, Sub-Division Guntur.

..... PETITIONER

AND

1. The Superintending Engineer, Panchayat Raj Circle, Guntur.
2. The Executive Engineer, Panchayat Raj, Guntur.
3. The Deputy Executive Engineer, Panchayat Raj Sub-Division, Guntur.
4. The Engineer-in-Chief, Panchayat Raj Department, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari calling for all the connected records including the impugned judgement in OA No. 2450 of 1994 and batch dt 6-1-2003 by declaring the proceedings No. A2/3040/93 dt 4-5-1994 as illegal improper, unjust arbitrary and consequently direct the respondent to continue the petitioner in service with all consequential benefits and pass such other order or orders in the interest of justice.

Counsel for the Petitioner:MR.K.G.KRISHNA MURTHY.

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

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THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI M.VENKATESWARA REDDY

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W.P.NO.26228 OF 2003

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ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

When the matter is taken up for hearing it is submitted by the learned Government Pleader for Panchayat Raj and Rural Development as well as the learned counsel for the writ petitioner Sri. K.G. Krishna Murthy that the issue involved in the present writ petition is squarely covered by an unreported Division Bench judgment of this Court in Writ Petition No.26229 of 2003 dated 19th March 2004 and therefore, instead of going into the merits of the miscellaneous petition, writ petition itself can be disposed of in terms of the said judgment.

In view of the above submission, recording the same, present writ petition is disposed of setting aside the order of the Tribunal in question, remitting the matter back to the Tribunal for passing appropriate order on merits. No costs.

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J.Chelameswar, J

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M.Venkateswara Reddy, J

14th June 2005.

mrk

To

1. The Superintending Engineer, Panchayat Raj Circle, Guntur.
2. The Executive Engineer, Panchayat Raj, Guntur.
3. The Deputy Executive Engineer, Panchayat Raj Sub-Division, Guntur.
4. The Engineer-in-Chief, Panchayat Raj Department, Hyderabad.
5. The Registrar, A.P. Administrative Tribunal, Hyderabad.
6. Two CCs to the G.P. for Panchayat Raj & Rural Development, High Court of A.P., Hyderabad (OUT).
7. Two CD copies.

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